

MAINE STATE LEGISLATURE

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L A W S

OF THE

STATE OF MAINE;

TO WHICH ARE PREFIXED

THE

CONSTITUTION OF THE U. STATES

AND OF SAID STATE,

IN TWO VOLUMES,

WITH AN APPENDIX.

.....
VOL. I.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....
1821.

CHAPTER XXIX.

An Act for preventing abuses in distilling of Strong Liquors, with Leaden Heads or Pipes.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That if any person shall presume to distil or draw off any spirits or strong liquors through leaden heads, worms or pipes, upon legal conviction thereof, before any Court of competent jurisdiction, shall forfeit and pay a sum of three hundred dollars.

Penalty for distilling through leaden heads, pipes and worms.

SEC. 2. *Be it further enacted,* That no brazier, pewterer, or other artificer whatsoever, shall presume to make any worm or head (for distilling) of coarse and base pewter, or such as hath any mixture of lead in it, under the penalty of three hundred dollars.

Worms, or heads not to be made of base metal.

SEC. 3. *Be it further enacted,* That in each town within this State, where the distilling trade is carried on, it may be lawful for the inhabitants thereof, at their annual town meeting for choice of town officers, to choose two or more Assay Masters, whose business it shall be to inspect and make trial of any such heads and worms, as shall be suspected by them; and if, upon their assaying and trial of them, they be found to be made of lead, or of other base metal, or to have an alloy of lead or other base metal in them, they shall give notice thereof to the distiller or owner thereof, who is hereby forbidden to make any further use thereof in distilling, under the aforesaid penalty of three hundred dollars.

Towns may choose Assay Masters to inspect and try heads and worms.

SEC. 4. *Be it further enacted,* That the Assay Masters or Inspectors are hereby empowered to enter into any Still-house or place, where such utensils are suspected to be kept, and to cut off so much of them as shall be needful to make an assay or trial of them. And every distiller shall be obliged to produce a certificate, under the hands of the Assay Masters, for the time being, for all the pewter heads and worms which they shall make use of in distilling, that they have been tried and are approved of by them for good pewter, and that they have put their mark and number upon them; for which mark a stamp shall be forthwith prepared at the town charge: For which certificate and every assay

Assay Masters may enter still-houses, &c. to examine.

Certificate to be produced of Assay Masters.

Fees for certificate and assay.

Certificate to be entered with Town Clerk.

Penalties, how recovered and appropriated.

Assay master's oath.

made by them, they shall be allowed by the distiller or owner of such heads and worms, the sum of *one dollar*. The said certificate, with mark and number to be entered in the Town Clerk's book, for which service the Town Clerk shall be allowed ten cents.

SEC. 5. *Be it further enacted*, That all forfeitures and penalties arising by virtue of this Act, shall be the one half to the poor of the town, where the offence is committed, and the other half to him or them, that shall inform and sue for the same. And further, that all Assay Masters, chosen to that office, shall make oath as follows, viz. I, A. B. do solemnly swear that I will, to the best of my skill, prove and make trial of all worms and still heads, within the town of C. that are used, or designed to be made use of, in distilling, that shall come to my knowledge, for which there is no certificate in the Town Clerk's book, and will make a true and faithful report thereof to the Town Clerk, for the time being. So help me God.

[Approved March 15, 1821.]

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CHAPTER XXX.

An Act relating to the punishment of Convicts.

Sentence of imprisonment to be executed in county gaol.

Gaoler directed.

Treatment of convicts in solitary.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That, whenever any person convicted of any crime or offence whatever, shall be duly sentenced therefor to solitary imprisonment and confinement to hard labour by any Court of this State or of the United States, the Court before whom such conviction shall be had, may order the sentence to be executed in the common gaol or house of correction of the County in which the offence shall have been committed. And the keeper of such gaol or house of correction is hereby authorized and required to execute such sentence of solitary imprisonment, by confining the convict in one of the cells of the gaols or house of correction, if any such there be, and if there be none, then in the most retired and solitary part of the prison or house of correction; and during the time of such solitary confinement, the convict shall be fed on bread and water only, un-